

“(E) is adequate for supporting emergency operations, such as evacuation routes during wildfires, floods, and other natural disasters; and

“(2) all projects funded under the Program are consistent with any applicable forest plan or travel management plan.

“(e) SAVINGS CLAUSE.—A decision to fund a project under the Program shall not affect any determination made previously or to be made in the future by the Secretary with regard to road or trail closures.”

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture to carry out section 8 of Public Law 88-657 (commonly known as the “Forest Roads and Trails Act”) \$250,000,000 for the period of fiscal years 2022 through 2026.

**SA 2518.** Mr. CORNYN (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

**SEC. 300 . URBANIZED AREAS.**

(a) EXTENSION OF TREATMENT OF URBANIZED AREAS.—Section 21101 of division B of the Bipartisan Budget Act of 2018 (Public Law 115-123; 132 Stat. 103) is amended by striking “and 2020” and inserting “2020, 2021, and 2022”.

(b) CENSUS DISCRETION.—Section 5324 of title 49, United States Code (as amended by section 30011), is amended by adding at the end the following:

“(g) CENSUS DISCRETION.—

“(1) DEFINITIONS.—In this subsection:

“(A) DISASTER-RELATED POPULATION DECREASE.—The term ‘disaster-related population decrease’, with respect to an urbanized area, means that—

“(i) the population of the urbanized area decreases to be less than 50,000 individuals, as determined in a decennial census after the decennial census in which the area was designated as an urbanized area; and

“(ii) the decrease described in clause (i) is a result of a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

“(B) URBANIZED AREA.—The term ‘urbanized area’ means an area designated in a decennial census as an urbanized area by the Secretary of Commerce.

“(2) ELECTION.—On request by the Governor of a State in which an urbanized area that experiences a disaster-related population decrease is located, the Secretary may elect for the purposes of this chapter, including for purposes of making apportionments under this chapter, to continue to treat the area as an urbanized area with the same population and land area as the area had in the most recent decennial census in which it was designated as an urbanized area by the Secretary of Commerce.”

**SA 2519.** Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CAS-

SIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 231, line 3, insert “, including how the decision of the State to continue to accept Federal Pandemic Unemployment Compensation under section 2104 of the CARES Act (15 U.S.C. 9023) has impacted the workforce” after “State”.

**SA 2520.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2126, strike lines 5 through 12 and insert the following:

(1) \$10,000,000 for the award of grants under subsection (c)(3), which shall remain available until expended;

(2) for the award of grants under subsection (d)—

(A) \$50,000,000 for fiscal year 2022; and  
(B) \$60,000,000 for each of fiscal years 2023 through 2026; and

On page 2143, line 6, strike “\$250,000,000” and insert “\$60,000,000”.

Beginning on page 2471, strike line 20 and all that follows through page 2473, line 9, and insert the following:

**DIGITAL EQUITY**

**(INCLUDING TRANSFER OF FUNDS)**

For an additional amount for “Digital Equity”, \$600,000,000, to remain available until expended, for competitive grants as authorized under sections 60304 and 60305 of division F of this Act: *Provided*, That of the amount provided under this heading in this Act—

(1) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2022, of which \$10,000,000 is for the award of grants under section 60304 (c)(3) of division F of this Act, \$50,000,000 is for the award of grants under section 60304(d) of division F of this Act, and \$60,000,000 is for the award of grants under section 60305 of division F of this Act;

(2) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2023, of which \$60,000,000 is for the award of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act;

(3) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2024, of which \$60,000,000 is for the award of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act;

(4) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2025, of which \$60,000,000 is for the award of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act; and

(5) \$120,000,000, to remain available until expended, shall be made available for fiscal year 2026, of which \$60,000,000 is for the award

of grants under section 60304(d) of division F of this Act and \$60,000,000 is for the award of grants under section 60305 of division F of this Act:

**SA 2521.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

After section 2, insert the following:

**SEC. 3. EFFECTIVE DATE.**

(a) IN GENERAL.—A provision described in subsection (b), including an amendment made by such provision, shall not take effect until the head of the relevant Federal agency certifies that the provision and the amendments made by that provision would not increase the reliance of the United States on foreign nations for critical resources, including cobalt, copper, nickel, lithium, manganese, or graphite.

(b) PROVISIONS DESCRIBED.—The provisions referred to in subsection (a) are the following:

(1) Section 11109.

(2) Section 11129.

(3) Section 11401.

(4) Section 11403.

(5) Section 25005.

(6) Section 25006.

(7) Section 40107.

(8) Section 40112.

(9) Section 40207.

(10) Section 40431.

(11) Any appropriations made available under division J for electric vehicles or electric vehicle charging infrastructure.

**SA 2522.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III of division D, add the following:

**SEC. 403 . KEYSTONE XL AUTHORIZATION.**

(a) AUTHORIZATION.—TransCanada Keystone Pipeline, L.P., may construct, connect, operate, and maintain the pipeline facilities at the international border of the United States and Canada at Phillips County, Montana, for the import of oil from Canada to the United States described in the Presidential Permit of March 29, 2019 (84 Fed. Reg. 13101).

(b) NO PRESIDENTIAL PERMIT REQUIRED.—No Presidential permit (or similar permit) under Executive Order 13867 (3 U.S.C. 301 note; relating to the issuance of permits with respect to facilities and land transportation crossings at the international boundaries of the United States), Executive Order 12038 (42 U.S.C. 7151 note; relating to the transfer of certain functions to the Secretary of Energy), Executive Order 10485 (15 U.S.C. 717b note; relating to the performance of functions respecting electric power and

natural gas facilities located on United States borders), or any other Executive order shall be required for the construction, connection, operation, or maintenance of the pipeline facilities described in subsection (a).

**SA 2523.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2149, lines 11 and 12, strike “sex, gender identity, sexual orientation.”.

**SA 2524.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

**SEC. \_\_\_\_ . RESTRICTIONS ON THE USE OF FUNDING.**

Notwithstanding any other provision of law, none of the funds made available by this Act, including any amendments made by this Act, may be used to issue vaccine passports, vaccines passes, or other standardized documentation for the purpose of certifying an individual's COVID-19 vaccination status to a third party, or to otherwise publish or share any individual's COVID-19 vaccination record or similar health information.

**SA 2525.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 40105 of division D.

**SA 2526.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 90007, add the following:

(i) SHUTTERED VENUE OPERATOR GRANTS.—All unobligated balances from amounts made available under the heading “Small Business Administration—Shuttered Venue Operators” and under section 5005(a) of the American Rescue Plan Act (Public Law 117-2) to carry out section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116-260) are permanently rescinded.

**SA 2527.** Ms. WARREN (for herself, Ms. HIRONO, Ms. KLOBUCHAR, Mr. MARKEY, Ms. SMITH, Ms. ROSEN, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. BOOKER, Ms. BALDWIN, Mr. SCHATZ, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

**SEC. \_\_\_\_ . ESTABLISHMENT OF NEW 2.5 GHZ TRIBAL PRIORITY WINDOW.**

(a) COMMISSION DEFINED.—In this section, the term “Commission” means the Federal Communications Commission.

(b) NEW TRIBAL PRIORITY WINDOW.—The Commission shall—

(1) not later than 30 days after the date of enactment of this Act, establish a new Tribal priority window for the 2.5 gigahertz band, under the same terms and conditions as the Tribal priority window established in the Report and Order in the matter of Transforming the 2.5 GHz Band adopted by the Commission on July 10, 2019 (FCC 19-62), for any portions of the band—

(A) that remain available for assignment in accordance with that Report and Order; and

(B) for which the Commission did not receive an application during the Tribal priority window established in that Report and Order; and

(2) accept applications in the new window established under paragraph (1) during the period that—

(A) begins on the date on which the window is established; and

(B) ends on the date that is 180 days after the date on which the window is established, or such later date as the Commission considers appropriate.

(c) EXCEPTION FROM CERTAIN PROCEDURAL REQUIREMENTS.—To the extent that the Commission determines that section 553 of title 5, United States Code, chapter 6 of that title (commonly known as the “Regulatory Flexibility Act”), subchapter I of chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”), or any other provision of law would prevent the Commission from establishing the new Tribal priority window by the date required under paragraph (1) of subsection (b) or from beginning to accept applications in that window as required under paragraph (2)(A) of that subsection, that provision shall not apply to any action taken by the Commission, or any rule or order issued by the Commission, to establish that window or to begin accepting applications in that window (as the case may be).

**SA 2528.** Mr. MERKLEY submitted an amendment intended to be proposed to

amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2593, line 21, insert “*Provided further*, That the limitation in the preceding proviso shall not apply to amounts made available under this paragraph in this Act that the Environmental Protection Agency provides as grants or contracts to external entities that provide technical assistance, outreach, and engagement.” after “administration.”.

**SA 2529.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1461, lines 23 and 24, strike “AND RECYCLING”.

Beginning on page 1462, strike line 3 and all that follows through page 1463, line 18 and insert the following:

(A) property designed to be used to produce energy from the sun, water, wind, geothermal or hydrothermal (as those terms are defined in section 612 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17191)) resources, or enhanced geothermal systems (as defined in that section);

(B) fuel cells, microturbines, or energy storage systems and components;

(C) electric grid modernization equipment or components;

(D) property designed to produce energy conservation technologies (including for residential, commercial, and industrial applications);

(E)(i) light-, medium-, or heavy-duty electric or fuel cell vehicles, electric or fuel cell locomotives, electric or fuel cell maritime vessels, or electric or fuel cell planes;

(ii) technologies, components, and materials of those vehicles, locomotives, maritime vessels, or planes; and

(iii) charging or refueling infrastructure associated with those vehicles, locomotives, maritime vessels, or planes; and

(F)(i) hybrid vehicles with a gross vehicle weight rating of not less than 14,000 pounds; and

(ii) technologies, components, and materials for those vehicles.

On page 1465, lines 2 and 3, strike “or recycling facility for the production or recycling, as applicable,” and inserting “facility for the production”.

On page 1465, strike lines 12 through 21 and insert the following:

(I) low- or zero-carbon process heat systems;

(II) technology relating to energy efficiency in industrial processes; or

(III) any other industrial technology that significantly reduces greenhouse gas emissions, as determined by the Secretary;

**SA 2530.** Mr. BROWN (for himself, Mr. CASSIDY, and Mr. CASEY) submitted